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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,318	05/24/2001	Jason Fan	023925-00004	1364
32294	7590	10/19/2005	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			COULTER, KENNETH R	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/863,318

Applicant(s)

FAN ET AL.

Examiner

Kenneth R. Coulter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Toga (U.S. Pat. No. 6,832,256) (Firewalls that Filter Based Upon Protocol Commands).

2.1 Regarding claim 1, Toga discloses a system of switches, said system comprising:

a memory/command bus having a first interface, a second interface and a third interface (Fig. 1; col. 2, lines 57 - 67);

a memory connected to said third interface of said memory/command bus, said memory having a first memory address (Fig. 1, item 22; Abstract; col. 2, lines 49 - 67);

a first switch that monitors said memory/command bus and interprets information written to said first memory address as proxy information, said first switch connected to

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said first interface of said memory/command bus (Fig. 1; Abstract; col. 2, lines 44 – 67);
and

a second switch that monitors said memory/command bus and interprets information written to said first memory address as proxy information, said second switch connected to said second interface of said memory/command bus (Fig. 1; Abstract; col. 2, lines 44 – 67).

2.2 Per claim 2, Toga teaches the system as recited in claim 1 wherein said information being written to said first memory address is interpreted as a command (Figs. 1, 3; Abstract; col. 2, lines 44 – 67).

2.3 Regarding claim 3, Toga discloses the system as recited in claim 1 wherein said information being written to said first memory address is interpreted as status information (Figs. 1, 3; Abstract; col. 2, lines 44 – 67).

2.4 Per claim 4, Toga teaches a switch comprising:

a memory/command bus interface, said memory/command bus interface configured to be connected to a memory and a second switch through a memory/command bus, said memory having a designated memory address (Fig. 1; Abstract; col. 2, lines 44 - 67);

a monitor being connected to said memory command bus interface so that said monitor can monitor said memory command bus and interpret information written to said

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designated memory location as proxy information (Fig. 1; Abstract; col. 2, lines 44 - 67).

2.5 Regarding claim 5, Toga discloses the switch as recited in claim 4 wherein said proxy information is interpreted as a command (Figs. 1, 3; Abstract; col. 2, lines 44 - 67).

2.6 Per claim 6, Toga teaches the switch as recited in claim 4 wherein said proxy information is interpreted as status information (Fig. 1; Abstract; col. 2, lines 44 - 67).

2.7 Regarding claim 7, Toga discloses the switch as recited in claim 4 wherein said monitor is a forwarding manager (Fig. 1; Abstract; col. 2, lines 44 - 67).

2.8 Per claim 8, Toga teaches the switch as recited in claim 4 wherein said monitor is an address manager (Fig. 1; Abstract; col. 2, lines 44 - 67).

2.9 Regarding claim 9, Toga discloses the switch as recited in claim 4 wherein said monitor is a start point manager (Fig. 1; Abstract; col. 2, lines 44 - 67).

2.10 Per claims 10 – 12, the rejection of claims 1 – 9 under 35 USC 102(e) (paragraphs 2.1 – 2.9 above) applies fully.

Response to Arguments

3. Applicant's arguments with respect to claims 1 - 12 have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R. Coulter whose telephone number is 703 305-8447. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KENNETH R. COULTER
PRIMARY EXAMINER

krc

